CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE FIVE HUNDRED AND SEVENTY-SEVENTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 22 January 1991, at 10 a.m.

President: Mr. W. Rasaputram (Sri Lanka)

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The PRESIDENT: I declare open the 577th plenary meeting and the 1991 session of the Conference on Disarmament.

Distinguished delegates, as we begin our 1991 session, the prevailing uncertainties and sombre reflections will not prevent me from conveying to you my sincere wishes for a happy and, above all, a peaceful New Year. We are facing a critical threshold. Times of stress and conflict are indeed occasions to redouble our collective efforts towards realizing the objectives of shared peace and security, and respect for the rule of law. They should encourage rather than discourage us to persevere in our endeavours towards peace. Our Conference has no direct mandate in the realm of conflict resolution. We do nevertheless have a great responsibility in contributing to conflict prevention, as our mandate constitutes an integral part of international action in codifying State behaviour in the domain of security and disarmament. Conflicts and breaches of the peace arise when State behaviour deviates, in one way or another, from the ideals and the principles of the code of conduct enshrined in the United Nations Charter and when justice is denied. We hope and pray that peace will prevail. It is in this context that I have the honour to convey to you the following message addressed to our Conference by the President of my country, His Excellency Ranasinghe Premadasa:

"I have great pleasure in addressing this message to the Conference on Disarmament to coincide with Sri Lanka taking over the presidency of this prestigious body. Sri Lanka has consistently supported the United Nations and the Conference on Disarmament. We believe that in a period of change, dynamic multilateral co-operation would greatly enhance the prospect of a stable, just and peaceful world.

"The session you begin today is the first one in the last decade of the twentieth century. The build-up to this threshold has been marked by momentous developments. There have been unprecedented changes of a far-reaching nature. Over two months ago in Paris, 34 nations signed away 43 years of confrontation and hostility and committed themselves to progressively rely less on military means for security. The Paris Charter has vindicated the Charter of the United Nations, which is an edifice of peace and security based on the ethic of non-violence in State behaviour. The emerging new international order calls for a deep commitment to peace and security on the basis of shared responsibility.

"The United Nations has been enabled to realize its peace-making and peace-keeping potential more than ever before. Seemingly intractable regional disputes have been resolved through the revitalized role of the United Nations. Indeed, the United Nations has been the constant factor that has provided the stability for the international community to collectively deal with emerging crisis. We should resolve to act with determination to strengthen our joint endeavours to attain lasting peace, security and sustainable development.

"Despite the positive changes and the determined responses of the Conference on Disarmament, the future agenda remains heavy. While we are rightly concerned about the well-being of emerging democracies, we should not neglect existing democracies which are striving for self-preservation

(The President)

against internal and external threats. It would also be opportune to address the socio-economic dimensions of security which weigh heavy on the majority of developing countries. Reduction of weapons in one area should not give rise to the emergence and proliferation of weaponry in other areas.

"The Conference on Disarmament has an important role to play in strengthening the United Nations' ability to deal with the multifaceted challenges we will face as we move into the twenty-first century. Your agenda remains relevant and rich in potential. I am optimistic that your collective wisdom and the momentum generated by recent positive developments in the world at large will enable the Conference to produce genuine and viable agreements. There is a wealth of experience and expertise that can be put to use. The successful conclusion of your negotiations aimed at a comprehensive ban on chemical weapons would be a particularly notable achievement. We in Sri Lanka eagerly await the realization of such a convention.

"Your Conference has to work by consensus. The democratization of human relations, be it within or between States, is by definition a process of consensus-building. It is also a process where all parties - big and small, strong and weak - are actively involved and to which they all contribute.

"My Government was voted in at the elections held in 1988 on an election manifesto advocating consultation, compromise and consensus as a means of overcoming the socio-economic and political questions that we face. This remains the political credo of my Government. My Government's instructions to the Sri Lanka delegation at the Conference on Disarmament will also remain the same - to constructively participate in and to contribute positively and actively to the consensus-building process in this truly representative multilateral body.

"I wish you success in your difficult and indispensable tasks."

In taking up the presidency of the Conference at the opening of its 1991 session, I should like to commit myself and my own delegation to co-operating closely with all members of the Conference in discharging that heavy responsibility. I am sure that I can count on your assistance in conducting the work of the Conference, and I shall remain available to discuss any matter relating to our work in the coming weeks.

On behalf of the Conference, I should like to thank Mr. Chirila of Romania for his untiring efforts as President of the Conference during the month of August, when he faced the task of conducting our work during the preparation of the annual report to the General Assembly of the United Nations.

After the 1990 session, the outgoing President as well as the representatives of Algeria, Poland and Yugoslavia left the Conference. I wish them all happiness and success in their personal lives and professional activities. I wish also to welcome the new representatives who have been accredited to the Conference: Ambassadors Abdelhamid Semichi of Algeria, Paul O'Sullivan of Australia, Todor Ditchev of Bulgaria, Tibor Tóth of Hungary,

(The President)

Damdiny Erendo Baljinnyam of Mongolia and Naste Calovski of Yugoslavia. I convey to them our greetings and assure them of our co-operation in the performance of their important assignments.

I should like to note the presence among us at this opening plenary meeting of the Director-General of the United Nations Office at Geneva, Mr. Jan Martenson, who I also welcome in this Conference. At the same time, I wish to thank him for the effective co-operation provided by his office in servicing this Conference.

May I now proceed with our regular business? As you know, for the last few weeks I have conducted consultations on those organizational matters on which we need to achieve consensus, so that the Conference might soon begin its work on substantive questions. During the consultations, I have discussed with members the adoption of the agenda and programme of work in the light of the agreements reached last year on the improved and effective functioning of the Conference, as well as the establishment of subsidiary bodies on various items of the agenda. The consultations are well advanced and I hope that we can agree at our next plenary meeting on a number of those subjects, so that no time will be lost in proceeding with our agenda for the year.

The Conference has already received 27 requests from non-members to participate in its work during the 1991 session. These requests have already been circulated to the members of the Conference. I am informed that other requests will be received in the coming days. They will be circulated by the secretariat upon receipt, so that members might consider them. In this connection, I should like to recall that, as I indicated at the informal consultations held on this subject, in conformity with the procedure agreed upon by the Conference during its 1990 session, all requests received from non-members to participate in its work are to be put before the Conference attached to a note from the President which will be the subject of a single decision. It should be noted that in 1990, in connection with the decision taken on requests from non-members, the President of the Conference made a statement (CD/PV.534, pp. 14-15) which was referred to after each decision adopted later on participation of non-members. I shall recall that statement at the time of the adoption of the relevant decision. I trust that those other non-members which have signified their interest in participating in the work of the Conference will transmit their requests as soon as possible.

I should also like to draw your attention to the question of the expansion of the membership of the Conference, which has been under consideration for a long time. I believe that it is high time that the Conference redoubled its efforts, so that an agreement might emerge on this subject without further delay.

We should also consider the improved and effective functioning of the Conference, as agreed in our annual report to the forty-fifth session of the General Assembly of the United Nations. Last year, thanks to the able leadership of Ambassador Kamal of Pakistan, who chaired the informal consultations devoted to the subject, we were able to agree on several questions after consensus had eluded us for years. I believe that we will approach this matter with the same constructive spirit as shown last year.

(The President)

I now invite the Secretary-General of the Conference and Personal Representative of the Secretary-General of the United Nations, Ambassador Komatina, to take the floor to read out a message addressed to us by Mr. Javier Pérez de Cuéllar.

Mr. KOMATINA (Secretary-General of the Conference and Personal Representative of the Secretary-General of the United Nations): The following is a message from the Secretary-General of the United Nations:

"This Conference begins its 1991 session under the shadow of war. The Persian Gulf crisis poignantly reminds us of the truth that peace and stability in international relations rests on full respect for the purposes and principles of the Charter of the United Nations. That is the indispensable condition for a stable international security order within which progress in the field of arms limitation and disarmament must proceed hand in hand.

"It is ironic in the extreme that the current situation with its grave portents should confront us when a phenomenal positive change has taken place at a global level. Indeed, great strides, unthinkable only a few years ago, have been made in some crucial areas of international relations which, if pursued on a world-wide basis, offer real possibilities for innovative approaches and responses to all security challenges facing the international community. The ending of the cold war has provided a unique opportunity to work out a coherent strategy of peace based on new forms of co-operation.

"In the field of arms limitation and disarmament the agreements that have been reached encourage hope that much more can be achieved. The 1987 INF Treaty between the United States and the Soviet Union will, we trust, soon be supplemented by the START agreement which is expected to cut their strategic nuclear forces significantly. The Treaty on Conventional Armed Forces in Europe concluded in Paris last November and the new set of confidence-building and security-building measures adopted in the framework of the Conference on Security and Co-operation in Europe have genuinely established a new basis for growing co-operation. These positive measures, if fully and faithfully implemented by all parties, will definitely have a lasting impact on international peace and security.

"These developments have created conditions for an enlarged and enhanced role for the United Nations in evolving new concepts of international security. The role of the world Organization in the field of arms limitation and disarmament should be commensurate with its increased responsibilities in the peace-making and peace-keeping fields. Furthermore, positive shifts in political relations should accelerate progress towards disarmament; the endeavour needs to be pursued at a faster pace and in a more global and comprehensive way as part of a reliable and consistent system of undiminished security for all. Quantitative reduction in arms and armed forces will not yield its full benefit if a qualitative arms race is allowed to continue. There is a need to address the whole problem of the military application as well as the peaceful uses of science and technology. Unimpeded access to

(Mr. Komatina, Secretary-General of the Conference and Personal Representative of the Secretary-General of the United Nations)

technology is essential for economic development, but the direction of technology to the refinement of weapons of destruction is a looming threat to global peace and justice.

"In the present evolving situation, the role of the Conference on Disarmament, as the single multilateral negotiating body, becomes even greater, and the successful discharge of its responsibilities is needed more than before. I believe the opportunity is at hand.

"Nuclear disarmament remains, as it must, a priority issue. Here, the Conference on Disarmament should be able fully to play its role. While the vital importance of progress in the United States-USSR bilateral negotiations is unquestionable, these negotiations by themselves cannot replace the multilateral efforts of the Conference on Disarmament.

"One of the issues in the nuclear field which has constantly attracted a great deal of attention is that of the cessation of nuclear-weapon tests. The deliberations at the PTBT Amendment Conference, which ended its work last week, have shown that, despite the differences in approach to the whole issue, there is overwhelming support on the part of member States for a significant role by the Conference on Disarmament in dealing with the various aspects of such a ban. There is also a growing realization that the reduction of the numbers and yields of tests can only be understood as a means of achieving the goal of ending all nuclear tests for all time. The setting up of an Ad Hoc Committee on this question was a step in the right direction. It strengthens the role of the Conference on Disarmament in arriving at a global solution.

"Regarding another important issue - the question of security guarantees to non-nuclear-weapon States - I hope that the Conference will be able to make decisive progress and thus strengthen the incentive for universal adherence of member States to the principle of non-proliferation of nuclear weapons. The risk of proliferation - horizontal and vertical - remains a steady concern of the international community. I therefore wholeheartedly welcome recent declarations and specific actions by several member States reiterating their renunciation of the nuclear option.

"Another priority is the completion of negotiations on a comprehensive chemical weapons convention. The urgency of finalizing this work was emphasized once again by the international community at the last session of the General Assembly, and has been underlined further by events in the Gulf region. Universal adherence to an effective ban could best be ensured through a global, comprehensive and non-discriminatory convention. I strongly believe that all necessary conditions have been met to achieve a balanced compromise. There is incalculable danger in allowing the existing political momentum to lapse through tardy action. Every effort must be made to step up negotiations and constructively address the fundamental political issues which stand in the way of

(Mr. Komatina, Secretary-General of the Conference and Personal Representative of the Secretary General of the United Nations)

success. The time has come, in my opinion, to give a decisive impetus to the Conference's work on the convention through a meeting at the ministerial level with a view to settling all the remaining points of concern.

"Success in the endeavours of the Conference on Disarmament means fruitful multilateral approaches to, and negotiations on, disarmament. What is required is a strengthened political will that can generate a credible response to the new political environment. This entails a review of the Conference's method and organization of work, so as to enhance its negotiating character. The debate on the improved and effective functioning of the Conference is a positive step in this regard.

"The progress achieved so far does not yet fully reflect the potentialities of political evolution in the world. Existing positive trends need to be consolidated and widened. Tangible results in the work of the Conference can go far in promoting that end.

"I wish you success in your work."

Here ends the Secretary-General's message.

The PRESIDENT: I thank the Secretary-General of the Conference and Personal Representative of the Secretary-General of the United Nations for reading out the message addressed to us by Mr. Pérez de Cuéllar. I should be grateful if he could transmit to the Secretary-General our thanks for the contents of that message.

I wish to inform you that the Secretary-General of the United Nations has also sent to me a letter transmitting the resolutions and decisions on disarmament which were adopted at the forty-fifth session of the General Assembly. That letter and its attachments will be circulated in all official languages at our next plenary meeting, as document CD/1045.

I have on my list of speakers for today the representatives of Sweden, Mexico and Peru. I now give the floor to the representative of Sweden, Ambassador Theorin, whom I welcome once more in our midst, on this occasion also in her capacity as Dean of the representatives accredited to the Conference on Disarmament.

Mrs. THEORIN (Sweden): Thank you for your kind words, Mr. President. Allow me to congratulate you, Ambassador Rasaputram. I am confident that you will guide us effectively and wish to assure you of my delegation's full support.

Some colleagues have left Geneva for new, important assignments. I am referring to the Ambassadors of Algeria, Australia, Bulgaria, Hungary, Mongolia, Poland and Yugoslavia. I wish to thank them for the excellent co-operation which my delegation has had with them. At the same time, I extend a warm word of welcome to newly arrived ambassadors from those countries. War, Mr. President, does not solve problems. War creates problems.

(Mrs. Theorin, Sweden)

The address I am about to deliver is not the one I had intended to make on behalf of my Government at the opening of the Conference on Disarmament. My expectation was to be able to recall with satisfaction the progress in disarmament that has been made since the latest session.

The cold war - over at last. The most comprehensive conventional disarmament agreement ever - formally signed. The most comprehensive nuclear disarmament agreement ever - agreed in principle. In both conventional and nuclear disarmament - patient work paying off at last. Disarmament - finally picking up speed. A new security order - being born in Europe. An order based not on deterrence and military threat. An order based on common security. A Europe characterized by democracy, peace and unity. A Europe progressively more imbued with respect for human rights.

I was considering making reference to a long talk which the former Soviet Foreign Minister had with me and some colleagues in Moscow last month, when he made a number of constructive and optimistic remarks about the need for continued nuclear arms reductions, a ban on nuclear testing, a commitment to step up Soviet efforts to achieve a comprehensive prohibition of chemical weapons, and a proposal for United Nations supervision of the international arms trade - in line with his whole-hearted support for Soviet glasnost and perestroika. Two weeks later he resigned, sounding a dramatic warning of the risk of dictatorship - a warning that may have appeared exaggerated at the time, but which now seems increasingly more justified by the day.

At one blow, the world has been hit by two serious crises. The war in the Gulf and the violence in the Baltic republics. The dramas of the past few days force us to think and to rethink, to examine and to re-examine, to consider and to reconsider.

War is always a failure for the immediate victims. For international law. For the world community. The war in the Gulf is a human tragedy. It may lead to ecological disaster. It may lead to a political catastrophe.

Let there be no misunderstanding: the war in the Gulf is the result of Iraq's brutal annexation of its small neighbour Kuwait. This was a case of unprovoked aggression, a flagrant violation of national sovereignty and breach of international law. The United Nations rightly became the centre for political efforts to find a peaceful solution to this crisis.

The Security Council displayed great resolve, firmly agreeing on mandatory sanctions against Iraq. Sanctions which, by all accounts, gradually undercut the Iraqi economy rather severely. The Security Council has urged Iraq to withdraw unconditionally. As a last resort, and in accordance with the Charter of the United Nations, the Security Council mandated the use of all necessary means, including force, if Iraq did not withdraw from Kuwait by 15 January. Iraq has chosen to defy the Security Council and has rejected all the attempts made by the United Nations to reach a peaceful settlement. It is therefore Iraq that carries the responsibility for the outbreak of war.

(Mrs. Theorin, Sweden)

From the very beginning of the crisis, Sweden's position has been unequivocal: the invasion, and the subsequent annexation of Kuwait, is a serious crime against the fundamental principles of international law that conflicts between States must be resolved by peaceful means, and that the acquisition of territory by force must not be condoned under any circumstances.

While not militarily involved, Sweden is not neutral in this conflict. As a loyal member of the United Nations, Sweden supports the resolutions adopted by the Security Council. My Government's support for the United Nations is based on the principle that the ultimate objective of the world organization is to ensure international peace and security. Ever since the conflict started, my Government has worked for a peaceful solution. And right up to the last minute, Sweden has tried to actively contribute to such a solution through intensive diplomatic activities. Sweden will continue to seek a solution based on the United Nations resolutions.

A solution has to start with complete and unconditional Iraqi withdrawal in accordance with the relevant United Nations Security Council resolutions. After such a withdrawal, a proper regional security arrangement has to be established. United Nations observers or peace-keeping forces might be necessary before such a regional arrangement is agreed upon. An international peace conference on the Middle East should in our view also be convened after Iraq has complied with the United Nations resolutions.

There is a great danger that war will mean continued instability in the region. The Palestinian question is still waiting for a solution, 43 years after the decision to create two States, Israel and a Palestinian State. This is the most protracted and fundamentally important conflict in the Middle East. Unless a solution is found to this question, and the legitimate right of the Palestinian people to self-determination is respected as well as Israel's right to secure and recognized borders, the Middle East will continue to be characterized by instability for a long time after the conflict between Iraq and Kuwait has been settled.

In this critical hour, it is of utmost importance that peace efforts continue. Every political and diplomatic effort to bring the war to an end must be made.

It is an irony of history that weapons in Iraq's arsenal are now turned against their suppliers. According to the Stockholm International Peace Research Institute, four fifths of these weapons have been supplied by three of the permanent members of the Security Council - China, France and the Soviet Union. But many other countries, too, have contributed.

A lesson to be learned from the military build-up in the region is that the international arms trade has to be limited. International control of all arms trade is urgently called for. All States, both arms exporters and importers, must comply with such control. Another lesson to be learned from the acute menace of chemical warfare is that chemical weapons must be destroyed once and for all and that a total ban on chemical weapons must be concluded urgently. Considerable progress has been made in the past year. However, the political breakthrough continues to elude us. It must come now. The world cannot wait any longer.

(Mrs. Theorin, Sweden)

Ten days ago, tanks emerged in the streets of Vilnius, the capital of Lithuania. The democratically elected Parliament was threatened. People were killed. People who had believed in democracy, glasnost and freedom of expression. People who had struggled peacefully for their independence.

Two days ago, naked force was exercised in Riga, the capital of Latvia.

Sweden, a neighbour, views the current developments in the Baltic republics with sorrow and dismay. The measures the central Soviet leadership has taken fill us with anger. Sweden cannot accept the brutal intervention of Soviet troops, as in Lithuania and Latvia, or their violent attempt to intervene in the political process in the Baltic republics. My Government considers what has taken place to be in violation of the principle of the national right to self-determination as expressed in the Helsinki Document.

The escalation of the conflict between the central authorities and the Baltic republics can lead to developments which cannot be controlled. Neither side will gain from a continued escalation of violence. The resort to force contravenes the commitments which the Soviet Union and the other European States have agreed shall be the guiding principles of a future Europe. The use of force or the threat of the use of force cannot be accepted. Further violence would have far-reaching consequences for the Soviet Union and for future developments in Europe. A solution of the conflict between Moscow and the Baltic republics must be achieved by political means and through agreements.

When military violence is excused, when freedom of speech is circumscribed, when freedom of the press is questioned, the world is entitled to ask where the Soviet Union is heading. Away from glasnost and perestroika? Away from human rights? Away from international good will? Away from a Europe characterized by democracy, peace and unity? Back to the closed, isolated society of the past? Back to the cold war?

War and violence do not solve problems. They only create problems.

War, the Charter of the United Nations says, has brought untold sorrow to mankind. The war now going on in the Gulf brings new sorrow to mankind. The United Nations was founded in order to save succeeding generations from the scourge of war. The war now going on in the Gulf is a failure in this respect. This war must be a brief parenthesis in recent positive international trends. We, the peoples of the United Nations, must now do our utmost to save the present generation from the scourge of war. We must renew our commitment in the Charter of the United Nations to save succeeding generations from the scourge of war.

The PRESIDENT: I thank the representative of Sweden for her statement and for the kind words addressed to the Chair. I now give the floor to the representative of Mexico, Ambassador Marín Bosch.

Mr. MARIN BOSCH (Mexico) (translated from Spanish): Mr. President, we are pleased to see you guiding the work of the Conference on Disarmament. Sri Lanka and Mexico pursue common objectives in disarmament matters, and both form part of the group of initiators of the conference held recently to discuss the amendment of the partial test-ban Treaty. You may count on the full co-operation of my delegation in the discharge of your important task.

Allow me to place on record our gratitude to Mr. Gheorghe Chirila of Romania, who served as President in August and co-ordinated our consultations during the inter-sessional period. Our greetings go to Ambassador Miljan Komatina, our Secretary-General, and our Deputy Secretary-General Ambassador Vicente Berasategui.

Since August several changes have occurred in the composition of the delegations. We extend a most cordial welcome to the new representatives of Algeria, Australia, Bulgaria, Poland and Yugoslavia. We wish them every success. We also express our gratitude for the contributions made by their predecessors, Ambassadors Ait Chaalal, Reese, Kostov, Sujka and Kosin. Allow me also to say how much we appreciate the work and friendship of Ambassador Peter Dietze.

Today we begin the thirteenth year of work of the CD and the twenty-ninth since the Eighteen-Nation Committee on Disarmament (ENDC), the forerunner of this single multilateral negotiating organ on the subject, met in March 1962. In 1991 the CD's calendar will be a little different, since it has been agreed to divide the 24-week annual session into three rather than two periods. That agreement was perhaps the only tangible result of the informal consultations that the CD held last year on its improved and effective functioning. Let us hope that this year the Conference will be able to pursue those consultations with a view to reaching agreement on more substantial aspects of our work.

During last year the question of a comprehensive nuclear test ban was examined in detail by the international community. Here, it was at last possible to re-establish the Ad Hoc Committee on this priority item and in the General Assembly there were extensive consultations aimed at merging the two texts that have been adopted year after year. Moreover, at the fourth NPT review conference the item was the subject of intense discussions and over the past two weeks the Moscow Treaty Amendment Conference examined in detail several aspects of the question, including that of the verification of a comprehensive test ban. On the other hand, in 1990 it was not possible to advance substantially towards the conclusion of a convention on the elimination of chemical weapons, notwithstanding continual meetings of the Ad Hoc Committee on the matter and the persevering efforts of its Chairman, Ambassador Hyltenius of Sweden.

Over the coming weeks the Mexican delegation will take up these and other agenda items. In its statement today, my delegation would like to address a question which, whether we like it or not, will affect our work directly in the immediate future. I refer to the expansion of the membership of the CD and the need for us to think about the viability of our present arrangements.

(Mr. Marín Bosch, Mexico)

In 1991, for the eighth consecutive year, the CD will have to examine the question of its expansion. This question originated in 1978 in the General Assembly, during its first special session devoted to disarmament, when its President carried out consultations on the membership of the recently created Conference. Given the need to limit the size of this negotiating body, many countries were not able to join the CD and it was agreed that its membership would be reviewed at regular intervals. As a result of that review, the CD decided in 1984 "that its membership might be increased by not more than four States" and agreed that two should be nominated by the members of the Group of 21, one by those from Eastern Europe and other States and one by the Western States, "so as to maintain balance in the membership of the Conference". That is the key phrase - "so as to maintain balance in the membership of the Conference". As a result of the recent profound changes in Europe, perhaps we will have to give a little more thought to that "balance in the membership of the Conference". The balance, which was first reflected in the membership of the ENDC, was a product of the cold war and was not easy to achieve.

All of us know that the Conference on Disarmament is the successor to a series of United Nations multilateral negotiating organs that were created from 1946 onwards: the Atomic Energy Commission, and in 1947 the Commission for Conventional Armaments. Both were composed of the then 11 members of the Security Council and Canada (if it was not a member of the Council): the five permanent members - which by a quirk of history would also become the five nuclear-weapon States - and six non-permanent members (one from Western Europe and another from Eastern Europe, one from the Commonwealth, one from the Middle East and two from Latin America), plus Canada.

With the advent of the cold war and the emergence of the military blocs in Europe (NATO and the Warsaw Pact), the membership of the United Nations disarmament commissions was no longer very balanced. That imbalance would perhaps have been partly corrected in 1949 if the United Nations had recognized the Government of the People's Republic of China. But over two decades were to elapse before that would occur. Consequently, during those first years of the United Nations, the negotiation of disarmament agreements took place in multilateral forums whose membership favoured the Western Powers. In 1952, the General Assembly dissolved the Atomic Energy Commission and the Commission for Conventional Armaments and established a single Disarmament Commission. And to choose its members it again had recourse to the formula "the Security Council members plus Canada".

In 1955 the number of United Nations Members States, which had grown from 51 to 60 in 10 years, increased considerably with the entry of 16 countries, including several from Eastern Europe. As a result the Disarmament Commission was enlarged to 25 countries in 1957, and a year later it was opened to all United Nations Member States. At that moment it ceased to be a negotiating body and became a deliberating forum for the General Assembly.

Also in 1958, the Assembly established the Ten-Nation Disarmament Committee, whose membership, on the prompting of the Soviet Union, was evenly divided between the two principal military blocs - five from NATO and five

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from the Warsaw Pact. In spite of that symmetry the Committee did not meet for over a year and was unable to bridge the differences between the two military blocs, meeting only from March to June 1960.

In 1961, a year after the dissolution of the Ten-Nation Committee, there was an unexpected development: a joint statement by the United States and the Soviet Union on agreed principles for disarmament negotiationns. In November of that year the General Assembly urged those two countries to reach agreement on the composition of a new disarmament body, and a month later it endorsed the following membership of the Eighteen-Nation Committee on Disarmament (ENDC): the members of the Ten-Nation Committee plus eight non-aligned or neutral countries that would serve as a bridge between the two military alliances, facilitating agreement between them. It was co-chaired by the United States and the Soviet Union, and the General Assembly urged it to undertake negotiations based on the joint statement of principles they had signed.

The ENDC began its work in Geneva in March 1962. From the beginning France did not participate because of its opposition to the unusual institution of the co-chairmanship. The ENDC met uninterruptedly from 1962 to 1978. Its name changed to the Conference of the Committee on Disarmament (CCD) when it was enlarged to 26 members in 1969 and 31 in 1975, with the balance between the military blocs and the non-aligned countries maintained. In his opening statement on 15 March 1962, the Foreign Minister of the Soviet Union said that the Committee was "a sort of cross-section of the present-day world. All three main groups of States are represented here: the socialist countries, the States belonging to the military blocs of the Western Powers, and the neutralist countries. The Committee also incorporates the interests of the various geographical regions of the world". And he added:

> "Never before has there been a negotiating body for disarmament that was so fitted for the solution of the problem confronting it. The Committee is broad enough to be representative in the full sense of the word. At the same time it is narrow enough to act efficiently without getting stuck in the quagmire of endless discussions in which the vital cause of disarmament would be bogged down" (ENDC/PV.2).

That same day the Secretary of State of the United States said:

> "All of us will agree, I am sure, that this Conference faces one of the most perplexing and urgent tasks on the agenda of man. In this endeavour we welcome our association with representatives from countries which have not previously been intimately involved with earlier negotiations on disarmament. The dreary history of such negotiations shows that we need their help and fresh points of view. The presence of these delegations reminds us too that arms races are not the exclusive concern of the great Powers. Countries situated in every region of the world are confronted with their own conflicts and tensions, and some are engaged in arms competition. We are not here dealing solely with a single struggle in which a few large States are engaged, with the rest of the world as spectators. Every State has a contribution to make in establishing the conditions for general disarmament in its own way" (ENDC/PV.2).

(Mr. Marín Bosch, Mexico)

At first, the discussions in the Eighteen-Nation Committee, which were led by the United States and the Soviet Union in their capacity as co-chairmen, were basically between the two military alliances. Little by little the Group of Eight began to function, first as a "moderating force" between the alliances but later acquiring greater cohesiveness and its own momentum.

It is true that a good part of the negotiations were carried out bilaterally (United States and Soviet Union) or trilaterally with the United Kingdom. This is what happened with the Moscow Treaty in 1963. But it is also true that other members of the Committee, including the Group of Eight, participated directly in the drafting of treaties, such as the NPT in 1967 and 1968. In fact it could be said that the role of the non-aligned States and that of the non-nuclear-weapon States in general grew in the ENDC. This was evident in the enlargements of 1969 and 1975. By then, however, continued symmetrical growth was no longer possible because of a very simple fact: with the entry of Hungary in 1969, all of the members of the Warsaw Pact were already in the Committee.

The expansions of 1969 and 1975 reflected the need to include certain militarily and/or economically important countries. They were also a response to growing pressure from other United Nations members. This is why a more or less equitable geographical distribution was sought.

In 1978 this Conference on Disarmament was established, composed of 40 States: the 31 that had come to be members of the ENDC and the CCD, plus 9 new ones. By then, however, the United States and the Soviet Union had been negotiating bilaterally for several years not only outside the CCD but outside the United Nations as well. That tendency persists, but seems to have been changing in the last two years with the renewed interest of both countries in the United Nations and the machinery provided by its Charter for maintaining international peace and security.

Until recently the CD had been working in a predictable way since its 40 members were divided into more or less homogeneous groups in accordance with the model derived from the cold war: the group of 10 countries from Western Europe and others (8 from NATO plus Australia and Japan); the group of 8 countries from Eastern Europe and others (7 members of the Warsaw Pact plus Mongolia); China; and the Group of 21 non-aligned or neutral countries, including countries from Africa, Asia and Latin America as well as two European States (Sweden and Yugoslavia).

The Conference on Disarmament's work continues to be of great interest to many other countries. Sixteen Governments have already applied for admission, and in 1990, 24 non-member States of the CD attended as observers.

The question of enlarging the CD was analysed in 1990 against the background of the profound changes in Eastern Europe. For practical purposes the Warsaw Pact has ceased to exist, and its disappearance poses some questions regarding NATO's raison d'etre. As the debates in the CSCE summit held in Paris in November 1990 showed, European countries are now exploring new security arrangements, both military and economic, within a pan-European approach. Moreover, the consolidation of the European Economic Community and

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its growing appeal to the other countries in the region will also have an impact on the groupings in the entire United Nations system, including of course the CD.

The end of military confrontation in Europe is blurring the differences between the positions of the member countries of NATO, on the one hand, and the ex-members of the Warsaw Pact and other European neutral countries on the other. And what are we to say about the non-aligned countries? Non-aligned vis-à-vis whom? All over the world there is a re-ordering of priorities, emphasis is placed on economic development based on access to markets, and with important exceptions preparations are being made for conversion from a war economy to a peace economy. These readjustments (not to say realignments) became apparent during 1990 in the debates in the CD, and, in the recent General Assembly, found concrete expression in surprising changes in position on many questions, especially in the field of nuclear disarmament. In fact, one could say that one of the most interesting aspects of the past General Assembly was perhaps the voting pattern of certain Eastern European countries. That trend was confirmed last Friday at the PTBT Amendment Conference in New York in the voting on a decision on its future work.

It is clear that the "balance" in the Conference, a balance based on the geopolitical and military realities that were consolidated in the 1950s and lasted until the 1980s, has disappeared. In 1958, the insistence on the symmetrical presence of the two principle military alliances resulted in the 5 + 5 formula in the Ten-Nation Committee. However, as it proved impossible to enter into a constructive dialogue, eight non-aligned or neutral countries were invited in 1962 to "contribute to the search for solutions to the disarmament problem". Hence the 5 + 5 + 8 formula in the ENDC. In the CCD it was increased to 7 + 7 + 12 and later to 8 + 8 + 15. In the CD we have 10 + 8 + 21 plus China.

The post-cold-war world is no longer made up of opposing military blocs, nor of countries politically non-aligned. But, except in Europe, the world has yet to regroup into well-defined economic zones. Work in UNCTAD and the Uruguay Round negotiations in GATT make this clear. Thus, a number of CD members are finding themselves in an increasingly uncomfortable position. Just as German unification came about with surprising speed and in the most unexpected way, the CD is faced with a state of affairs whose principle feature is the ever-increasing political rapprochement among almost all European countries and the consequences of this trend for the other members of the CD. There are countries without a group and groups that no longer reflect the positions of all their members.

For the developing countries the problem derives from a basic historical fact: the definition of their raison d'etre vis-à-vis a Europe which is militarily divided and a North which is economically different. With the disappearance of those divisions and differences, the non-aligned countries have lost their role as a "bridge" between the two military alliances. Nor are they any longer a homogeneous entity in multilateral economic negotiations. The problem not only affects developing countries but also has repercussions for other non-European nations in the CD. And while the Europeans, whether or not they are members of military alliances, appear to be gravitating towards certain already identified goals, the rest of the countries have yet to define their own.

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The transition from a bipolar to a multipolar world will surely be slow. To move from two military blocs to several economic blocs will not be easy. For some time we shall be faced with a unipolar world, whose existence was demonstrated in the recent decisions taken by the Security Council with regard to the Persian Gulf conflict. All this constitutes the background to the debates on the enlargement of the CD. Moreover, the unification of Germany created a vacancy which some countries wished to fill immediately; some Governments hastened to submit their candidatures.

In 1991 the Conference will once again have before it the question of its expansion. With 40 members the CD has already reached the limits of is size as a negotiating body. If it continues to grow it could suffer the fate of the Disarmament Commission. For this reason we feel that an exercise in self-criticism would be advisable in order to consider and perhaps revise the way in which we work, our internal organization. But it will not be easy. How will the situation in the Soviet Union evolve? Will the already very westernized trend in the countries of eastern or central Europe become consolidated? What will happen to the other member of that group? Will the Western group become a purely European grouping? How will the non-aligned and neutral countries "realign themselves", and what role could they play in the future?

When examining the expansion of the CD we should also consider problems of a different nature. Are all the countries that should participate in this single multilateral negotiating forum represented here? It should be noted that in 1978, when the General Assembly considered the membership of the future CD, a number of factors were borne in mind: the countries' military importance, the special responsibilities that some bear under the Charter of the United Nations, the role they play in the disarmament sphere, geographical balance, and political and ideological balance. That was the point of departure, together with the conviction that "all the peoples of the world have a vital interest in the success of disarmament negotiations", in the words of the the final document of the first General Assembly devoted to disarmament. But there were complaints and disagreements. This gave rise to the idea of examining the membership of the CD at "regular intervals". Some suggested that such an examination should be carried out every three years, while others were of the view that the membership of the CD should rotate every two years. That is what happens with the 10 non-permanent seats in the Security Council. Would it be advisable to institute a similar system in the CD? As the negotiations on the chemical weapons convention show, there are questions that are or should be of universal interest. How can this be reconciled with the need to keep a limited size precisely in order to be able to negotiate agreements?

It is quite obvious that the CD will continue to be an indispensable forum for the negotiation of multilateral agreements on disarmament questions of a global character and hence of universal interest. The question today is: What balance should it have to be truly representative of the international community? This kind of analysis could lead us to the discussion of somewhat delicate matters for we would have to begin by asking ourselves if all of those present here really should be here. For all of these reasons we believe that it would be appropriate to examine these questions initially in an informal way.

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The Third United Nations Disarmament Decade is beginning. Its conclusion will coincide with the end of the century and the start of a new millenium. We are convinced that the profound changes which have occurred in the last few years have brought us closer to a new, perhaps more promising era in international relations. However, the tragic war in the Gulf serves to remind us how fragile the process of détente is and how difficult it is to consolidate international peace and security. It also serves to demonstrate to us that regional problems for which a timely solution is not found can become even more complicated, and that the so-called strategic and economic interests of some countries can give rise to unexpected actions.

Let us hope that this Conference will at last make the contribution which everyone expects from it. It is not a matter of finding a way to "get through another year", or seeing whether or not we can conclude the convention on the elimination of chemical weapons this year, while we pass the time discussing other items knowing full well that in August we shall not have achieved much. Let us re-establish the ad hoc committees on all our agenda items at once, avoiding an unnecessary waste of time. And let us give clear proof of political will by giving them negotiating mandates. That is why this body was created and that is why we are here.

The PRESIDENT: I thank the representative of Mexico for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Peru, Ambassador de Rivero.

Mr. de RIVERO (Peru) (translated from Spanish): Mr. President, allow me first of all to convey satisfaction at seeing you presiding over the Conference for this first month in our session, which is notable for the delicate effort of co-ordination that must be made for the organization of our work. We are sure that your tact and great experience will have a decisive influence on the successful conclusion of this phase, and I offer you all the support that may be necessary on the part of my delegation. I would also like to place on record great appreciation and friendship for Ambassadors Messaoud Ait Chaalal of Algeria, David Reese of Australia, Bogumil Sujka of Poland, Peter Dietze of the German Democratic Republic and Marko Kosin of Yugoslavia. We regret their departure from Geneva and from the Conference and offer them our best wishes for personal and professional happiness. This is also an appropriate occasion to extend a very cordial welcome on behalf of my delegation to the Ambassador of Mongolia, Ms. Baljinnyam, Ambassadors Semichi of Algeria and Sullivan of Australia. We wish all of them a happy stay in Geneva and every success in discharging their responsibilities.

Since 17 January, despite the ending of the cold war, the world has once again been shaken by an unfortunate regional armed conflict with international dimensions. As a consequence of the refusal of the Government of Iraq to comply with the Security Council resolutions calling for its unconditional withdrawal from Kuwait, Peru has condemned this flagrant violation of international law and, along with 12 Latin American countries making up the Rio group, has made an appeal for diplomatic efforts to be intensified in order to find a just and stable solution to this dangerous situation. It is not without paradox that, as the bulding of a new international order begins following the ending of the cold war, it should once again be weapons that must solve disputes between States and curb wild ambitions. And it is ironic, to

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say the least, that while Europe is finally getting ready to live in peace and democracy after so many wars and tensions, another region of the world should have to confront the unforeseeable threats of situations of destruction and loss of human life. Without doubt the unprecedented response of the Security Council to the invasion of Kuwait is the most encouraging sign of the new times in which we are living. We saw the five permanent members of the Security Council, as never before, setting aside their ideological and strategic differences in order to react jointly and immediately to aggression. With this major step the situation of "international anarchy" referred to by the Secretary-General of the United Nations was overcome, and the full application of collective security as provided for in the Charter of the United Nations is being pursued. In other words, we now have a new political situation and the legal potential of the United Nations is available to us in order to build a new order, a new concept of collective security, collective security based on respect for international law and human rights, based on the practice of democracy, based on the struggle against critical poverty, on the fight against the degradation of the environment, and based above all on the simultaneous quest for confidence-building measures, arms control and disarmament.

Nevertheless, the worst that could happen is that this ambitious and promising era proclaimed in the Paris Charter for a New Europe should be affected by the shifting of the international conflict towards other regions characterized by instability as a result of traditional rivalries in many regions in the developing world compounded by explosive factors such as critical poverty, external indebtedness, degradation of the environment, the population explosion and the proliferation of arms and violence. A new order therefore cannot merely take the form of security and co-operation between East and West. If it is to be stable, a new order must be aimed at the building of a common home for the whole of mankind. There must, as we have said, be a political evolution of the concept of security. We must convince one another that there can be no national security without regional security, and that there can be no regional security if we do not achieve global security that embraces all States. Nowadays all States are interdependent, and no country or region an attain security if it is not shared on a joint and world-wide basis.

A major obstacle to the attainment of this new concept of security is the uncontrollable international trade in arms. The Gulf war has clearly shown that to sell weapons to volatile regions of conflict exacerbates the lack of security because of international interdependence. This is a hard lesson for arms-exporting countries and the entire international community. Another lesson of the Gulf war is that in the future we should set aside geopolitical concepts of security which are intended to establish a balance of power between countries in a given region, arming some against others or setting one of them up as a hegemon in order to keep the peace. This concept of regional security is extremely dangerous, volatile and precarious. Moreover, we hope that the free publicity that the media are providing for current weapons systems and their fantastic performance in the Gulf war will not promote trade in these weapons or bring war down to the level of just one more show on the television. In conclusion, the topic of the international trade in weapons should be taken up by the Conference on Disarmament in order to give it a practical role in the future and ensure that it is in touch with international realities.

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It is not possible to visualize a new international order with policies aimed at the continuous development of highly competitive export-oriented new weapons systems. This zeal for money-making sidesteps basic ethical principles. Worse, we have reached the extreme of designing and selling weapons that are in conflict with the Geneva Protocols of 1977. More than ever we believe in the urgent need for the international community to adopt a code of ethics that will govern arms production and trade in order to curb the military applications of new technology once and for all and subject the arms trade to democratic control, with full respect for human rights and under the supervision of the United Nations. A specific example of the serious risks that could occur if this Conference and the international community failed to act may be found in laser weapons, which are currently being perfected and tested. According to experts a side-effect of the use of these weapons would be irreversible blindness in their victims. Laser weapons, which at one time we thought belonged to science fiction, may be operational in five years' time, with the additional difficulty that new, increasingly sophisticated generations of these weapons will appear at the turn of the century. The International Committee of the Red Cross is aware of this threat, and has convened as many as three expert meetings since October 1989 in order to look into its implications for international humanitarian law, in particular from the point of view of unnecessary suffering. This concern of the Red Cross is not unjustified, because strategists may already be presumed to have identified the impact of such weapons in tactical war scenarios. It is sufficient to cite as an example the agreement signed by the United States and the Soviet Union on 12 June 1989 on the prevention of dangerous military activities, (CD/943), which prohibits uses of lasers that could be harmful to personnel. It would not be surprising in the future to see efforts to promote the production and sale of portable laser weapons for use by the civilian population, subjecting us to another insane dimension of so-called technological progress.

The fundamental changes in relations between East and West reflected in the Paris Charter for a New Europe and the Treaty on Conventional Armed Forces in Europe have had the virtue, inter alia, of revealing that the Conference on Disarmament is seriously out of step in apparently feeling more inclined to turn itself into a deliberating body than to negotiate concrete multilateral disarmament measures. In principle, the regional approach to disarmament should not be incompatible with this Conference's global approach. However, when concerted multilateral action is abandoned through neglect, or the negotiations are delayed and regional agreements preferred, then it is a sure sign that something is wrong, unless there is a desire that the Conference on Disarmament should not move in the same direction as history.

First of all, it is easy to perceive the growing lack of correspondence between the items on its agenda and certain regional priorities. It is not that the agenda has become obsolete, but there has clearly been a weakening in the original political will that inspired its members to negotiate disarmament measures under the eight main items. This accounts for the recurrent paralysis of the Conference in dealing with most of its items, as well as the unforeseeable complication of negotiating on such an urgent issue as the total banning and destruction of chemical weapons.

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Another problem that has made the Conference out of step with the real world pertains to its membership, which basically has its origins in the Manichean models of the cold war and the artificial division of Europe that was introduced by ideology to separate peoples with ethnic and cultural ties. This situation, which now lies in the past, can no longer be used as a yardstick for the geographical distribution of the seats in the Conference, unless we wish to live in a fairy-story world.

Europe has always been the best-represented region in the Conference on Disarmament. Last year 16 delegations from that region were accredited, to which we have to add four more countries of the developed world which are regarded as their partenaires. Yet on the other hand, along with China and Mongolia, there were representatives from only 18 countries in the developing world that covers Latin America, Africa, Asia and Oceania, the most heavily populated and extensive areas of the globe. It is necessary to ask how right it is, politically speaking, to sideline significant sectors of the international community which suffer violence daily and could be potential regions of conflict. That is why my delegation thinks that perhaps the time has come to refocus the Conference on Disarmament and bring its membership into line with today's realities, so that it can become the best vehicle to curb the arms race and, without neglecting global disarmament, become involved in regional or bilateral disarmament processes and the international arms trade.

The recent summit of the Conference on Security and Co-operation in Europe offers an example of the great regional potentialities of disarmament and the strengthening of security, in which the Conference on Disarmament could play the role of an intermediary if it were to assume the responsibility of promoting regional disarmament. As we all know, the fourth conference to review the Treaty on the Non-Proliferation of Nuclear Weapons ended in deadlock because of the convergence of two extremes, although the vast majority of the participating States were in favour of adopting a final declaration. Although it should be acknowledged that there was progress in very important areas, particularly in verification, the disagreement on the application of article VI will now oblige the States parties to approach the 1995 Conference in a constructive spirit of conciliation, putting aside intransigent positions or preconditions which are not in keeping with the spirit and the letter of the Treaty.

The foreseeable results of the PTBT Amendment Conference constitute another factor that should prompt us to moderation. And negotiation and co-ordintion between States call for a will and an effort that go beyond mere good intentions. New political conditions must be created that will make it possible for a treaty on the total prohibition of nuclear tests once and for all to be negotiated as rapidly as possible. But this should be viewed as a process to be pursued in parallel with and not in conflict with the question of the extension of the NPT, bearing in mind that the fate of the NPT beyond 1995 will depend on how all its provisions have been respected. It is this constructive spirit and quest for consensus that should inspire the Conference on Disarmament to include in the mandate of the Ad Hoc Committee on Chemical Weapons the prohibition of use of all forms of these weapons of mass destruction. From the time that the prohibition of the use of force was enshrined in the Charter of the United Nations, there has been no place in

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international law for the right to reprisals. The only exception to this principle is self-defence, which is provided for in Article 51 of the Charter, on the terms that are stated therein. It is to be hoped that this year the scope of the future convention will be defined on the basis of the norms laid down in the Charter of the United Nations.

It is my hope that this year the Conference on Disarmament can provide the international community with specific results from its negotiations. The Gulf war places us under an obligation to achieve the virtual finalization of the convention on the total prohibition of chemical weapons. In this context I wish Ambassador Batsanov, who is to assume the chairmanship of the Ad Hoc Committee, every success, and I offer him the full co-operation of my delegation.

The PRESIDENT: I thank the representative of Peru for his statement and for the kind words addressed to the Chair. That concludes my list of speakers for today. Does any other member wish to take the floor?

I should now like to give the floor to the Secretary-General of the Conference and Personal Representative of the Secretary-General of the United Nations, Ambassador Komatina, who will make a statement in connection with the services available to the Conference.

Mr. KOMATINA (Secretary-General of the Conference and Personal Representative of the Secretary-General of the United Nations): In the context of existing financial constraints, we are mandated by the General Assembly to report to the Conference on the services to be assigned to it. As in previous sessions, the Conference will be allocated 10 meetings per week with full servicing, 15 meetings per week with full services during the sessions of the Seismic Group. In other words, we should be able to hold two daily meetings with full servicing throughout the whole of the 1991 session, plus one additional daily meeting when the Seismic Group is in session.

As the work of the Conference proceeds, it may be necessary to hold meetings of subsidiary bodies consecutively with other committees or working groups. This practice has in the past prevented the waste of allocated resources in cases where the full three hours allocated for each meeting have not been fully utilized. In this respect, punctuality in starting meetings of the Conference is also important. I wish to inform you that we are not using all the services assigned to us. In 1990 the Conference and its subsidiary bodies lost a total of 358 hours of full services.

It is also understood that meetings with such services cannot be held in the evening or during weekends.

I also wish to recall that measures accepted by the Conference at the informal meeting held on 22 April 1986 concerning documentation continue to be valid. In order to implement these decisions and bring about savings in the cost of documentation, all papers need to be presented well in advance.

The PRESIDENT: I thank the Secretary-General of the Conference and Personal Representative of the Secretary-General of the United Nations for his statement. You will recall that, during our consultations, members agreed to the arrangements described by Ambassador Komatina. The Conference will therefore proceed accordingly.

Before I adjourn the meeting, I should like to invite members to renew their consultations on those organizational questions still pending, so that at our next plenary meeting we may achieve consensus on at least some of those issues.

I have no other business for today, and I shall now adjourn this plenary meeting. The next plenary meeting of the Conference on Disarmament will be held on Thursday, 24 January, at 10 a.m.

The meeting rose at 11.50 a.m.

CONFERENCE ON DISARMAMENT

CD/PV.578
24 January 1991

ENGLISH

FINAL RECORD OF THE FIVE HUNDRED AND SEVENTY-EIGHTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 24 January 1991, at 10 a.m.

President: Mr. W. Rasaputram (Sri Lanka)

GE.91-60187/5351a

CONFERENCE ON DISARMAMENT

CD/PV.579
29 January 1991

ENGLISH

FINAL RECORD OF THE FIVE HUNDRED AND SEVENTY-NINTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 29 January 1991, at 10 a.m.

President: Mr. W. Rasaputram (Sri Lanka)

GE.91-60193/5353a

The PRESIDENT: I declare open the 579th plenary meeting of the Conference on Disarmament.

There are no speakers on the list for this plenary meeting. I should therefore like to ask whether any member wishes to address the Conference at this stage. I recognize the distinguished representative of Canada, and I give the floor to Mr. Robertson.

Mr. ROBERTSON (Canada): I thought it would be appropriate, since this is the first plenary I have been able to attend at this new session of ours, to say a few words, not of substance, about the election of Canada, in my person, to act as Chairman of the Ad Hoc Committee on Radiological Weapons, an honour, I might add, for me and for my delegation. I would like to apologize for not having been here earlier; I have been in Malta for a CSCE meeting on the somewhat ironic subject of the peaceful settlement of disputes and returned less than 48 hours ago, so that is why I haven't been here sooner.

I wanted to take this opportunity to give to the Conference my assurances that I will certainly use all my best endeavours to advance our work on the RW agenda, and I think we are very fortunate that we will have on the secretariat side the help of Mr. Cassandra and Ms. Cummins. I understand that the negotiations and discussions on the composition of the Bureau and the possible chairmanships of the two traditional tracks are still going on, and obviously the help of the Bureau that is eventually selected will be equally important in advancing our work, but of course it is going to be the role of the member States of the CD who participate in that work that will determine whether we get any further this year than we have in the past, as I have to admit that progress has not been particularly rapid. To an outsider it might seem that since it was possible for the CD to reach early agreement both on the mandate and the chairmanship of the Ad Hoc RW Committee the prospects for progress are good, but we all know that this is really not the case. The subjects we are working on are difficult, in some cases contentious, and it is not likely to be any easier this time around than earlier. That being said, it seems to me, however, and I just wanted to flag this for later discussions, informally with you, that there are already some possibilities for improving our chances. One difficulty in 1990 was when we used to meet early on Monday mornings. That not only conflicted with the informal weekly consultations on chemical weapons of one of our groups, and thereby perhaps deprived the RW deliberations of some inputs from smaller delegations which could have been useful, but in any event it seems to me that Monday morning is not necessarily the time when we are all at our best and ready to work as productively as we might and one of my objectives, therefore, is to consult with the group co-ordinators and the secretariat to see whether we cannot reach agreement in a mutually satisfactory way on a better time slot for work on RW. Another possibility I will mention before I close these remarks is that last year, because of various circumstances, we did not have as many meetings as we might have had; there were some 19 in all, 4 Ad Hoc Committees, 8 of track A, 7 of track B. Under our new format for 1991, with a three-session division of our labour, we have at least the possibility of holding as many as 25 meetings and therefore, although we may not reach that target, that also argues that we may be able to do somewhat more this time around.

The PRESIDENT: I thank the distinguished representative of Canada, and I would like to ask whether any other member wishes to address the Conference. I see none.

I now wish to turn to our business for today. I should like to inform you that the report of the Ad hoc Committee on Chemical Weapons, covering its inter-sessional work, will be available as document CD/1046 for our next plenary meeting on Thursday. On that occasion, the Chairman of the Ad hoc Committee, Ambassador Hyltenius of Sweden, will introduce it. At the following plenary meeting of the Conference, to be held on 7 February, I shall invite the Conference to adopt the report contained in document CD/1046. In connection with the re-establishment of the Ad hoc Committee, which was recommended to us as a priority matter in its report on the 1990 session, I am continuing my consultations on its future mandate. I do hope that it will be possible for us to agree soon on the re-establishment of this subsidiary body, so that negotiations on the "rolling text" can proceed without delay.

In addition to my consultations on the mandate for the Ad hoc Committee on Chemical Weapons, I am also proceeding with the co-ordinators to review the situation concerning the re-establishment of other subsidiary bodies. I shall report to you as soon as these consultations are concluded.

Before I adjourn this plenary meeting, I wish to inform you that we have already received 34 requests from non-members to participate in the work of the Conference and its subsidiary bodies. The latest requests received were circulated last Thursday for the information of members. Accordingly, we should be in a position to decide on those requests at our next plenary meeting on Thursday. You will recall that I have already explained the procedure to be followed on that occasion, which is identical to the practice followed last year. Before I put before the Conference for action the note by the President with all the requests attached to it, we shall hold an informal meeting for the consideration of that note. We shall thereafter resume the plenary meeting and take appropriate action.

I have no other business for today, and I now intend to adjourn this plenary meeting. The next plenary meeting of the Conference on Disarmament will be held on Thursday, 31 January, at 10 a.m.

The meeting rose at 10.25 a.m.

CONFERENCE ON DISARMAMENT

CD/PV.580
31 January 1991

ENGLISH

FINAL RECORD OF THE FIVE HUNDRED AND EIGHTIETH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 31 January 1991, at 10 a.m.

President: Mr. W. Rasaputram (Sri Lanka)

GE.91-60181/2812B

The PRESIDENT: I declare open the 580th plenary meeting of the Conference on Disarmament.

I have on my list of speakers today the representative of Sweden, who will speak in his capacity as Chairman of the Ad Hoc Committee on Chemical Weapons, to introduce the report of that Committee on its work during the inter-sessional period, as well as the representatives of the Netherlands and Canada. Once we reach the end of the list of speakers, I shall suspend the plenary meeting and convene an informal meeting of the Conference to consider requests for participation in our work which have been received from States that are not members. We shall later resume the plenary meeting to continue our examination of that subject.

I now give the floor to the Chairman of the Ad Hoc Committee on Chemical Weapons, Ambassador Hyltenius of Sweden, who will introduce the report of the Ad Hoc Committee, contained in document CD/1046.

Mr. HYLTENIUS (Sweden): I have the honour today to introduce the report of the Ad Hoc Committee on Chemical Weapons (CD/1046).

As you will recall, the Conference decided at the last meeting of the summer part of its session that the Ad Hoc Committee should hold open-ended consultations from 26 November to 21 December 1990, followed by a session of limited duration during the period 8 to 18 January 1991. As a result of this inter-sessional work the earlier report submitted to the Conference in August last year (contained in document CD/1033) has been considerably amended. Several new documents have been drafted, and parts of the earlier text have been moved from appendix II to appendix I and thus now form part of the so-called "rolling text". Moreover, the part of the "rolling text" containing the articles of the convention has been edited to make it more consistent and readable.

In 1990 the political issues involved in the drafting of the future convention were addressed to a much greater extent than before. This was done in a number of ways. The most comprehensive effort took place in the open-ended consultations on undiminished security and universal adherence. A convention of this magnitude cannot be dealt with only on a piecemeal basis. It is necessary also to have an overview of the political context and the component parts in their interrelationship. It became clear from the consultations that the convention must be effective and non-discriminatory in order to be sufficiently attractive. It must be considered an advantage to become a party to the convention. Correspondingly, it must be unattractive to stay outside. I believe that the open-ended consultations on these matters have increased understanding of the issues involved and thereby prepared the ground for final agreement on them. It has also opened a discussion on what can be done at this stage to promote widest possible adherence to the convention by means of declarations of intent, regional initiatives, etc.

My summary of the open-ended consultations on undiminished security and universal adherence is contained in appendix II to the Committee's report. In this context I note with particular satisfaction the increased number of

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non-members of the Conference on Disarmament which are participating in the negotiations. This bodes well for the prospects of future adherence to the convention. The regional initiatives undertaken and planned are other examples of constructive contributions to these endeavours.

In this past year we have also worked very actively on verification issues. Apart from the active consideration of these issues in one of the Working Groups, which led to some important concrete results and to which I shall revert in a minute, a determined effort was made to come to grips with the problem of challenge verification, or - as I would prefer to name it - inspection on request. I presented a draft article IX, which was welcomed by a large number of delegations and extensively and intensively discussed. It did not prove possible, however, to agree on the article. It would, of course, have been a great achievement to settle this long-standing political problem relating to a cornerstone of the convention, but in my view there is no reason to be too discouraged by this situation. The remaining problems are now better known and understood by all delegations. This is a stage we must go through in order to achieve the convention.

In this connection it is interesting to note the efforts made in trial inspections on request to illustrate the problems encountered and find solutions to them. The Committee will in fact be in a better position than before to resolve this issue when it comes under renewed consideration.

The open-ended consultations on the Executive Council seemed by and large to confirm the viability of the existing provisions in appendix I, whereas it appeared that the issues of the composition and decision-making procedures of the Council were not yet ripe for solution.

Besides the complete treatment of major political hard-core issues that I have just outlined, considerable progress has been made on various issues which are now reflected in the new "rolling text". The disappointment over the lack of agreement on a few key issues must not obscure the considerable and concrete achievements made in the three Working Groups and by the Friends of the Chair.

From Working Group A we have received a new and final text on investigations of alleged use of chemical weapons, which is harmonized with the procedures available to the Secretary-General of the United Nations and is now included in the protocol on inspection procedures. In addition, painstaking work has been done in Working Group A, which has resulted in readable and, most importantly, implementable verification provisions in the annexes to articles IV and V. These provisions and similar provisions in the annexes to article VI have, furthermore, been harmonized with provisions in the protocol on inspection procedures. I wish to thank Mr. Sahbaz for his contributions to these important results.

Working Group B has been able to incorporate into the "rolling text" a complete order of destruction for chemical weapons as well as for chemical weapons production facilities. I would like to recall that before the 1990 session this was considered by representatives from all groups as one of the

(Mr. Hyltenius, Sweden)

main outstanding hurdles. It has now been overcome, and I especially thank Mr. Meerburg for his inventiveness and a good job done. Working Group B has also been able to elaborate further the schedules in the annex on chemicals, and to finalize the modalities for revision of schedules and guidelines. Moreover, considerable progress has been made on the issue of thresholds. Extremely useful material on low concentrations and on the "captive use" of listed chemicals has also been incorporated into appendix II.

Working Group C has made much headway on issues that were considered by most of us as major outstanding problems. We are particularly indebted to Dr. Krutzsch for his perseverance and enthusiasm. While the solutions to the issues of amendments, settlement of disputes and measures to redress a situation and to ensure compliance, including sanctions now incorporated into appendix I have not been finally elaborated, each of them constitutes a breakthrough not only technically but also politically. Finally, the material on "Financial aspects of the Organization" now in appendix II constitutes a valuable new basis for further work on an issue that is of major concern.

The open-ended consultations on article X (Assistance and protection against chemical weapons) continued during the inter-sessional period. Further progress was made, and it is my opinion that agreement is within reach on this important article. A Chairman's paper (CD/CW/WP.324) was issued as a basis for continued work. I am very grateful indeed to Ambassador García Moritán of Argentina and his deputy, Mr. Parini, for the very constructive and promising work undertaken on this issue.

Article XI is in my opinion another important part of the convention. I have conducted private consultations on this article during the whole year, and during the inter-sessional period I also held open-ended consultations on the matter. There is still no agreement on this, but the number of delegations which have reservations about including the draft text on the article in appendix I have diminished considerably.

The problem of old chemical weapons is now better analysed than before, but its solution still eludes us. I have the impression that further contacts on a bilateral basis between some of the countries particularly concerned will be necessary before it is possible to find an appropriate and generally acceptable solution in the multilateral context. I am most grateful to Ambassador Morel for his efforts and contributions as a Friend of the Chair in this difficult field. The outcome of the work on this matter is reflected in appendix II.

I am pleased to report that the problem of jurisdiction and control has been brought much closer to solution this year. A new text on "General undertakings" in article VII has been included in appendix I. A few references to this concept remain in the "rolling text", but I am convinced that they can be addressed without too much difficulty now that the general undertakings have been agreed. This is due to the energetic work done by Ambassador Reese and Mr. Morris of Australia, who conducted consultations on this issue on my behalf. I wish to express my warm thanks for their successful endeavours.

(Mr. Hyltenius, Sweden)

Although great emphasis has been put on the efforts this year to address the political issues, this does not mean that the technical questions have been neglected. I have already reported on the work and the important results achieved in Working Group B. In addition, several technical problems have been dealt with in the Technical Group on Instrumentation under the able Chairmanship of Dr. Rautio, and I should like to take this opportunity to thank her once more for her important contributions to this year's work.

The draft convention has been meticulously elaborated over several years by different negotiators and experts. It has gradually become rather difficult to read because of inconsistencies in nomenclature, numbering, punctuation etc. It was therefore felt that the present text had to be edited. An open-ended group led by Dr. Santesson of my delegatin embarked upon that work during the inter-sessional period, and the part of the "rolling text" containing the articles of the convention has now been edited. In addition, guidelines for future editing as well as a list of some outstanding editing issues have been circulated in a working paper (CD/CW/WP.323).

As the implementation of the future convention will also depend on co-operation with chemical industry, contacts with industry representatives are of particular importance. The Ad Hoc Committee's meetings with industry representatives provided the framework for in-depth discussions of some topical verification and technical issues. Diplomats and industrialists seem to have gained a better understanding of each other's perceptions and concerns than was the case in earlier years.

It is not possible to conduct a negotiation of this complex nature without the support of a very competent and efficient secretariat. The Ad Hoc Committee on Chemical Weapons is fortunate enough to have such support. I am particularly indebted to Mr. Bensmail, the long-standing Secretary of the Committee, whose contributions to our work in the last year and over a number of previous years can hardly be overestimated. He has been very ably assisted by Ms. Marcaillou, Ms. Darby and Mrs. Roux, and I wish to extend my warm thanks also to them. Other members of the secretariat too have contributed in an important manner. I am thinking especially of the interpreters and the translators. I am very grateful to all of them for their work and their understanding and co-operation in our common endeavour.

My own delegation has worked very hard indeed to contribute to the efforts which go into a chairmanship of this kind. I have many competent collaborators who have prepared the basis for much of the material which I have presented in the Committee - Mr. Molander, Dr. Santesson, Dr. Lau, Mr. Gierow, Dr. Runn and Mr. Grenstad. My gratitude also goes to the secretaries in my mission, who have borne much of the burden of producing the material.

I referred at the outset to the political framework of this negotiation. Let me conclude by reverting to this aspect. We can do much within this Conference to take political aspects into account in drafting the convention in such a manner that it becomes attractive enough to achieve wide, perhaps even universal, adherence. But in searching for ideal and well-elaborated

(Mr. Hyltenius, Sweden)

solutions let us not lose track of current events. The war in the Gulf reminds us that the problem of chemical warfare is an awesome possibility, and that every effort must now be made to bring our work to an early conclusion. It is more important and urgent than ever.

I wish the incoming Chairman, Ambassador Serguei Batsanov, every success. He had the competence, vision and determination required for the responsible task of guiding these negotiations.

The PRESIDENT: I thank the Chairman of the Ad Hoc Committee on Chemical Weapons for his presentation, as well as for the kind words addressed to the Chair. On behalf of the Conference, I thank Ambassador Hyltenius for the very effective and skilful way in which he performed his duties as Chairman of the Ad Hoc Committee.

As I explained at our last plenary meeting, the Conference will adopt the report contained in document CD/1046 at its next plenary meeting on Thursday, 7 February.

I now give the floor to the representative of the Netherlands, Ambassador Wagenmakers.

Mr. WAGENMAKERS (Netherlands): Allow me, Mr. President, to congratulate you on behalf of my delegation on taking up the high office of President of the Conference on Disarmament. We are sure that under your competent and dynamic leadership the CD's activities for this year will get under way smoothly and efficiently. let me assure you that the Netherlands delegation will make every effort to assist you in making your present stewardship effective and stimulating.

Most of our thoughts are directed nowadays towards the war in the Gulf, and rightly so. The Netherlands is taking an active share in the task of ensuring compliance with the relevant United Nations Security Council resolutions. As we are all aware, a dramatic dimension is looming over this war. I refer to the implicit and explicit threats which we have heard to use chemical weapons in that conflict. Needless to say, such threats cannot but compel us to achieve the most important objective on our agenda: an effective convention banning all chemical weapons once and for all. A convention worthy of our confidence to ensure that the scourge of chemical warfare is effectively removed from every region in the world. A convention of which we can be sure that it will be faithfully implemented and complied with everywhere, and which will not be considered by some as just another scrap of paper to be ignored. One of the tools which should give rise to confidence in complete implementation of the convention is a régime to trigger international inspections on request any time, anywhere, based on effective procedures to identify serious violations. Only such a régime will deter potential violators. We have already worked out some procedures for such inspections. We must test them in practice. And we must improve and complete them.

(Mr. Wagenmakers, Netherlands)

In this connection, I take pleasure in introducing today on behalf of both Canada and the Netherlands a report on a joint Canada/Netherlands chemical weapons trial challenge inspection of a military facility. This report is being circulated as document CD/1052, and also bears the number CD/CW/WP.327.

The inspection, which took place from 26 to 28 November 1990 at an operational military airfield containing garrisoned land forces, was the first bilateral trial inspection in the chemical weapons field for both participating countries. I may remark that the Netherlands has also been involved in a number of bilateral trial inspections in the field of conventional arms control. Last year, two joint inspection exercises took place with Poland to provide practical experience for the negotiations on the Treaty on Conventional Armed Forces in Europe, signed in Paris on 19 November 1990. As a further training effort for the implementation of this Treaty, a joint Canada/Netherlands trial inspection was held this week in the Netherlands. Observers from our partners in the Western European Union were invited to take part on that occasion.

I come back now to our Joint Canada/Netherlands chemical weapons trial inspection. Building on the experience of earlier national trial inspections, the aims of the inspection were firstly, to further test the inspection procedures laid down in the "rolling text"; secondly, to ascertain that compliance with a chemical weapons convention could be demonstrated without sensitive information being divulged; and, finally, to continue the training of the participants in organizing, carrying out and escorting such an inspection.

The inspection, carried out by Netherlands as well as Canadian inspectors, demonstrated the utility of conducting multinational exercises. It also demonstrated that reliable conclusions could be drawn under circumstances of managed access at an operational military facility. Furthermore, the exercise yielded a number of useful conclusions on problems still under discussion in the CD and pointed to some areas that still need to be addressed in our negotiations, and, perhaps, in the protocol on inspection procedures in the draft convention. These conclusions and recommendations are laid out in the report. Allow me, Mr. President, to dwell on a few of them.

With regard to the notification of the inspection site and the arrival of the inspection team, Canada and the Netherlands opted for the procedure whereby the site is notified by the requesting State after arrival of the inspection team at the point of entry, rather than simultaneously with the notification of the inspection request to the inspected State. In real life this would have enhanced the element of surprise. It was concluded, however, that the "rolling text" leaves many ambiguities as to the precise procedures that should be followed up to the actual beginning of the inspection. The exact time of the start of the inspection, for instance, about which the "rolling text" says little, leaves considerable opportunity for dispute. At the same time, the Technical Secretariat would encounter quite a number of problems in forming an inspection team if it was unaware, at that time, of the type and size of the site to be inspected.

(Mr. Wagenmakers, Netherlands)

During the exercise, the observer from the requesting State was given a considerable amount of leeway in observing the pre-inspection briefing, the debriefing and the activities of the inspection team and its subteams. It was felt afterwards that the observer would have been in a very good position to advise his national authorities on the efficacy of the conduct of the inspection and on its findings, without interfering with the inspection or obtaining sensitive information.

On the whole, the exercise showed that under circumstances of managed access, sensitive information could be adequately protected at this military site, while at the same time the inspection team was provided with enough information to draw reliable conclusions with regard to the presence of CW. One related problem was the inability of the inspection team to inspect medical records owing to Canadian laws that protect the privacy of the patient. It was felt that this issue should be carefully considered in the CD.

Canada and the Netherlands agreed that all samples would be analysed off-site at the TNO laboratories in the Netherlands. Although analysis at a fully equipped modern laboratory had the advantage of producing very reliable test results and, at the same time, reducing the size of the inspection team and the quantity of its equipment, off-site inspection posed the problem of maintaining the chain of custody during storage, transportation and analysis of the samples. As our experts are already aware, further consideration will need to be given to this matter.

On the whole the joint Canada/Netherlands trial challenge inspection amounted to a rather satisfactory and useful experience. It showed once more that the procedures laid down in the "rolling text" so far, although not yet perfect, do in principle provide an excellent framework for the carrying out of such inspections. It contains the instruments required to ascertain that the provisions of the future chemical weapons convention are complied with. I might therefore encourage all potential States parties to the future convention to participate in trial challenge inspections, in order to help us further fine-tune this aspect of the CW verification régime.

Some of the issues we have identified in our report on the trial challenge inspection could possibly be addressed in the Ad Hoc Committee and its subgroups, while other issues might not need to be addressed until a later stage. This is a matter for discussion by our technical and legal experts.

I should not let this opportunity go by without thanking the Canadian authorities, both military and civilian, for their splendid co-operation. As the inspection took place in Germany, our appreciation also goes, of course, to the German authorities.

Finally, we look forward to and count on the completion of our negotiations this year. We believe therefore that the new Ad Hoc Committee on Chemical Weapons should be set up without delay. The new "rolling text" just introduced by the former Chairman of the Ad Hoc Committee on Chemical Weapons provides an excellent basis for continuing, if not redoubling, our efforts.

(Mr. Wagenmakers, Netherlands)

My delegation wishes to avail itself of this opportunity to express our appreciation and respect to Ambassador Hyltenius and his team for the invaluable services they have rendered to the CWC negotiating process. We are confident that Ambassador Batsanov will push on in the same vein.

The PRESIDENT: I thank the representative of the Netherlands for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Canada, Ambassador Shannon.

Mr. SHANNON (Canada): May I, at the outset, Mr. President, offer you my congratulations on your assumption of the presidency of this Conference and wish you every success, and may I also welcome our new ambassadorial colleagues among our ranks?

The report we are presenting today on the joint Canada/Netherlands trial CW challenge inspection comes at a time of great international crisis. World attention is focused on the conflict in the Persian Gulf and on the danger that chemical weapons might yet again be used, in violation of the 1925 Geneva Protocol. The spectre of possible chemical weapons use in the Gulf highlights the importance of our work, as we seek to rid the world of these weapons of senseless mass destruction. We must respond to this challenge with redoubled effort.

Last year Canada welcomed the Netherlands proposal to conduct a joint inspection and, in fact, to create a binational inspection team. We felt that this would exemplify many of the characteristics of an international team dispatched by the Director-General of the Proposed Technical Secretariat. Our first collaboration with the Netherlands in a CW trial inspection capacity took place in June 1990, and was reported in CD/1030/Rev.1. In this first endeavour, Canadian officials conducted a practice "routine" inspection at a Canadian pharmaceutical facility. An observer from the Netherlands Ministry of Foreign Affairs attended. However, the full integration of officials from both countries in carrying out the joint Canada/Netherlands trial challenge inspection at Canadian Forces Base (CFB) Lahr in Germany went further, in a multinational sense, than our earlier national practice inspection. And, as the trial inspection took place on German territory, we had an additional multinational feature: the presence of German observers throughout the inspection.

I would like to draw attention to another aspect of this inspection and its procedures. The Canadian in-country escort team had been trained to receive inspections in relation to quite a different set of treaty obligations, namely, those of the Treaty on Conventional Armed Forces in Europe. We found that the escort team's operating procedures, we well as those of the personnel of the inspected site, could be modified without great difficulty to meet many of the needs of the CW challenge inspection. In a similar vein, I would like to suggest that certain of the considerations taken into account and finding expression in the Protocol on Inspection of the Treaty on Conventional Armed Forces in Europe might be of interest to our experts as we refine and conclude the protocol on inspection procedures in the "rolling text" of the CW convention. What I am referring to is a cross-fertilization of ideas as we try to devise a set of procedures that will work in practice, not just look good on paper.

(Mr. Shannon, Canada)

My Netherlands colleague has already touched on the "managed access" element of the joint trial challenge inspection of CFB Lahr. I would like to add a point of reinforcement from the perspective of the inspected State. Even though normal security sensitivities applied to CFB Lahr as an operational military airfield and a garrison for land forces, the "managed access" approach to particular facilities and equipment was able both to meet the needs of the inspection team and to satisfy the security concerns of the inspected State.

As an aside, I want to express here to my Netherlands colleague our deep pleasure and appreciation for the opportunity afforded us to work so closely with our Dutch colleagues and to remark upon the professionalism which both the Netherlands Foreign Ministry and the Ministry of Defence displayed throughout this exercise.

Mr. President, my delegation offers to you, at the beginning of substantive work of this CD session, our full support as we strive to conclude, a soon as possible, a CW convention that will result in the complete destruction of chemical weapons stockpiles and remove for ever the fear that such horrible weapons might again be used. This year has seen the threat of CW use raised again; our task is to ensure the year does not end with the question of the control of CW still unresolved.

I take this opportunity to add that, as in previous years, my delegation will be distributing, through the secretariat, copies of the latest compendiums of CW-related documents and statements delivered during the 1990 session.

The PRESIDENT: I thank the representative of Canada for his statement and for the kind words addressed to the Chair. That concludes my list of speakers. Does any other delegation wish to take the floor at this stage? I see none.

As announced at the opening of this plenary meeting, I shall now suspend it and convene an informal meeting to consider requests from non-members to participate in the work of the Confernce.

The meeting was suspended at 10.50 a.m. and resumed at 10.55 a.m.

The PRESIDENT: The 580th plenary meeting of the Conference on Disarmament is resumed.

As a result of the informal meeting that we have just held, I propose that we take a decision on 34 requests from non-member States to participate in our work, on the basis of the note by the President which the secretariat has circulated today as document CD/WP.400. Since no objections were raised at the informal meeting, I suggest that we now adopt this decision.

It was so decided.

The PRESIDENT: In connection with the decision just taken, I wish to state the following:

As is well known, the Conference on Disarmament is a specialist body. It is the unique global multilateral disarmament negotiating forum. There is a tradition among CD members of concentrating in their discussions very much on the disarmament issues at hand. This has been the general practice as well for the non-members invited to participate. Many non-members have made contributions of outstanding practical value to our disarmament work. I trust - and am confident - that those non-members whom we have just invited will make a constructive contribution to the negotiations and, as the case might be, pre-negotiations on the disarmament issues they have chosen. It is understood that, in accordance with the rules of procedure and the practice of the Conference, invitations extended to non-members are for the 1991 session. It goes without saying that any action from which our negotiations would not benefit would be most inappropriate. In fact, the participation of States non-members of the Conference should contribute to the universality of disarmament agreements.

Our negotiations on a convention banning chemical weapons have shown encouraging progress. This is all the more timely since we have witnessed in the recent past how much suffering chemical weapons may cause. May I therefore remind all delegations, those of member States as well as those of States wishing to accede to the status of participating non-members, that all States participating in the Paris Conference on the prohibition of chemical weapons made the following call in its Final Declaration: "In addition, in order to achieve as soon as possible the indispensable universal character of the convention, they call upon all States to become parties thereto as soon as it is concluded." In this context I wish to note that all 34 States non-members that have addressed communications to us have indicated their wish to be invited to participate in our negotiations on the banning of chemical weapons.

There is no other business, and I shall therefore adjourn this plenary meeting. I wish to recall that, as agreed by the Conference at its 575th plenary meeting on 21 August 1990, and as indicated in our programme of work for this session, as from the coming week we shall hold one plenary meeting every week, preferably on Thursdays. This being the case, the next plenary meeting of the Conference on Disarmament will be held on Thursday, 7 February, at 10 a.m.

The meeting rose at 11 a.m.

CONFERENCE ON DISARMAMENT

CD/PV.581
7 February 1991

ENGLISH

FINAL RECORD OF THE FIVE HUNDRED AND EIGHTY-FIRST PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 7 February 1991, at 10 a.m.

President: Mr. W. Rasaputram (Sri Lanka)

GE.91-60199/9096A

The PRESIDENT: I declare open the 581st plenary meeting of the Conference on Disarmament.

As announced at our last plenary meeting, I will put before the Conference today for adoption the report of the Ad Hoc Committee on Chemical Weapons, contained in document CD/1046. We shall first listen to the statements scheduled for today and then proceed immediately afterwards to take that action.

I have on my list of speakers today the representatives of Peru and Mexico. I now give the floor to the representative of Peru, Mr. Calderón, who will speak in his capacity as co-ordinator of the Group of 21 for agenda item 4.

Mr. CALDERON (Peru) (translated from Spanish): This morning, I wish to read out a statement on behalf of the Group of 21 concerning the mandate of the Ad Hoc Committee on Chemical Weapons.

(continued in English)

As in previous years, the Group of 21 would like to emphasize once again that the goal of the negotiations under way in the Ad Hoc Committee on Chemical Weapons is to conclude a comprehensive and non-discriminatory multilateral convention on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction.

On 4 December 1990, the forty-fifth session of the United Nations General Assembly unanimously adopted resolution 45/57 A, which refers, inter alia, to the work of the Ad Hoc Committee on Chemical Weapons. In this resolution the General Assembly stressed once again its conviction of the "necessity that every effort be exerted for the successful conclusion of negotiations on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction". The General Assembly also expressed "its regret and concern that a convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction has not yet been concluded". Furthermore, it strongly urged the Conference on Disarmament, "as a matter of highest priority, to intensify during its 1991 session its efforts to resolve outstanding issues, and to conclude its negotiations on a convention, taking into account all existing proposals and future initiatives, and to re-establish its Ad Hoc Committee on Chemical Weapons for that purpose".

This year the urgency of concluding a chemical weapons convention is reinforced by the present circumstances in the international arena, which are detrimental to peace and security. The Group of 21 continues to believe that the mandate of the Ad Hoc Committee on Chemical Weapons should include a reference to the total prohibition of the use of chemical weapons in order to be consistent with the General Assembly resolutions successively adopted in previous years since, in its view, this undertaking is already provided for in article I, paragraph 3 of the draft Convention. This element is of paramount importance to the Group as well as to the vast majority of all members of the Conference.

(Mr. Calderón, Peru)

As stated repeatedly by the Group of 21, the goal of concluding a comprehensive convention compels the Conference on Disarmament to seek a total ban on the use of chemical weapons so as to free the world from the scourge of these weapons of mass destruction. The Group would like to emphasize the importance it attaches to all aspects of the mandate, and expresses its willingness to ensure the prompt resumption of the important work of the Ad Hoc Committee on Chemical Weapons.

Mr. MARIN BOSCH (Mexico) (translated from Spanish): The comprehensive nuclear test ban has been at the top of the list of priority items in this Conference since its establishment in 1962. It could even be said that the then Conference of the Eighteen-Nation Committee on Disarmament (ENDC) was set up specifically to bring about a comprehensive test ban.

> "Such an agreement will be an important first step in bringing the arms race under control. It will be the foundation for the establishment of the necessary confidence, which must be built upon in order to ensure that other more far-reaching disarmament measures will be concluded and faithfully carried out. Such a treaty can serve to restrict and inhibit other countries from producing their own nuclear weapons. Finally, it will prevent further increases in the radioactive fall-out from nuclear tests."

This assessment, which was voiced by the representative of the United States in this very room on 27 August 1962 (ENDC/PV.75), summarizes the position of the overwhelming majority of the international community on this item.

A year later, in August 1963, the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water was opened for signature. The two sole substantive provisions of the Treaty are the partial test ban (without provision for a verification system) and the possibility (contained in article II) of amending it. In the preamble to the Treaty, the original parties - the United States, the United Kingdom and the Soviet Union - undertook to seek "to achieve the discontinuance of all test explosions of nuclear weapons for all time, determined to continue negotiations to this end, and desiring to put an end to the contamination of man's environment by radioactive substances".

More than a quarter of a century and hundreds of underground nuclear tests later, the international community still has no CTB. In this Conference, where we are supposed to be negotiating such a treaty, it has not even been possible to secure agreement on establishing a subsidiary negotiating body. This is the reason for the growing impatience of many Member States of the United Nations, impatience which, year after year, has taken shape in numerous General Assembly resolutions and urgent appeals from political leaders, parliaments and governmental and non-governmental organizations. In view of the deadlock in this Conference, a group of countries decided in 1988 - the silver anniversary of the partial test-ban Treaty - to submit for the consideration of the parties an amendment to this Treaty. The proposal made by Indonesia, Peru, Sri Lanka, Venezuela, Yugoslavia and Mexico was distributed in this very Conference on 5 August 1988 (CD/852). The purpose of the amendment is to convert the Treaty into a comprehensive nuclear-test-ban treaty. It is composed of three parts.

(Mr. Marín Bosch, Mexico)

Firstly, the addition of an article VI, stating that "Protocols annexed to this Treaty constitute an integral part of the Treaty". Secondly, the text of protocol I broadening the test ban to cover tests underground or in any other place not described in article I of the Treaty itself. Thirdly, protocol II on the verification of the comprehensive ban.

In pursuance of article II of the Treaty and of the request of the majority of the States parties and of the General Assembly of the United Nations (in resolutions 41/46 B, 42/26 B and 44/106), an Amendment Conference was convened whose first organizational phase took place at United Nations Headquarters from 29 May to 8 June 1990. There the provisional agenda for the Amendment Conference was agreed on, its rules of procedure were adopted and the States parties, in particular the nuclear-weapon States, were requested to present to the Conference their views on the verification of a CTB.

On 30 November 1990, the six States which had initiated the amendment conference proposal distributed a draft protocol II on verification of a comprehensive test ban (PTBT/CONF/6). However, in view of the attitude adopted by two of the original signatories - to whom the Treaty gives the right to veto any amendment - it was obvious that the amendment could not be adopted in the second phase of the Conference, which was held, also in New York, from 7 to 18 January 1991. Fully aware of the foregoing, the General Assembly, in resolution 45/50 of 4 December 1990, recommended that "arrangements be made to ensure that intensive efforts continue, under the auspices of the Amendment Conference, until a comprehensive nuclear-test-ban treaty is achieved". But the breadth of the general debate in the plenary and the discussion of the protocol on verification in the Committee of the Whole, as well as the active participation of non-governmental organizations, highlighted the broad international support built up by the six-nation initiative. Hence the vast majority of the parties managed to reach an agreement on a follow-up mechanism which would enable the Conference to continue its work after 18 January.

The six sponsors, along with the Philippines, Nigeria, Senegal and Tanzania, submitted a draft decision reading as follows:

> "Acknowledging the complex nature of certain aspects of a comprehensive test ban, especially those with regard to verification of compliance and possible sanctions against non-compliance, the States parties were of the view that further work needed to be undertaken. Accordingly, they agreed to reconvene the Conference no later than September 1993 and to establish an inter-sessional working group, composed of 15 to 20 countries, in order to continue the consideration of verification of compliance with a complete test-ban treaty. The working group will submit a report to the Conference at its reconvened session."

(Mr. Marín Bosch, Mexico)

Subsequently, guided by a spirit of compromise, the six countries modified their proposal in the following way. The first part remained exactly as I have just read out, while the second read:

> "Accordingly, they agreed to mandate the President of the Conference to conduct consultations with a view to achieving progress on those issues and resuming the work of the Conference at an appropriate time."

This was the decision that the Conference adopted at the conclusion of its second phase on 18 January. Its President, Foreign Minister Ali Alatas of Indonesia, will now have the task of continuing his skilful conduct of the work of the Conference. And in order to fulfil his mandate and ensure the success of the Conference, he will need the co-operation of all the parties to the Treaty.

When protocol II was discussed in the Amendment Conference, it was suggested, inter alia, that this Geneva Conference should also look at this document (CD/1054), which I now have the honour to present on behalf of the delegations of Indonesia, Peru, Sri Lanka, Venezuela, Yugoslavia and Mexico. Likewise we have asked for it to be made available to the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events, whose mandate, I would like to say in passing, could perhaps benefit from a few adjustments.

Draft protocol II consists of a preamble, eight articles, three annexes and an appendix. The first three articles describe the "treaty institutions" - the organization and its main bodies. One would be the assembly and its technical committee, in which all States parties would be represented. The other would be the secretariat, headed by a secretary-general, which among other functions would give technical support to the committee. Articles IV and V cover operating procedures, that is to say monitoring techniques and reports to be prepared by the secretariat. The next two articles indicate the "obligations of the parties" with regard to co-operative measures and additional monitoring procedures. The final article refers to the fact that the annexes and appendices would be integral parts of the protocol. Annex 1 describes the permanent global monitoring network, including monitoring stations, station operation and site selection. A preliminary list of the initial stations is given in appendix 1. Annex 2 deals with the way in which the secretariat could carry out temporary localized monitoring, and with station equipment and operations. Annex 3 refers to procedures for on-site inspection.

There is nothing esoteric about the content of draft protocol II. It is based on the already very long list of proposals designed to bring about proper verification of a CTB. One of the first was contained in the "draft treaty banning nuclear weapon tests in all environments" (ENDC/58) submitted to the Conference by the United States and the United Kingdom in August 1962. This proposal sought the establishment of a scientific commission, an international staff and a verification system with a network of stations and on-site inspection.

(Mr. Marín Bosch, Mexico)

The six delegations - I am about to conclude, Mr. President - hope that our draft protocol II to the 1963 Treaty will be given careful consideration by this Conference and its subsidiary bodies. We are prepared to improve it and consider it along with other proposals that have already been tabled.

Mr. von WAGNER (Germany): As this is the first time that I take the floor under your presidency, Sir, I am very glad to be able to congratulate you on your assumption of your high and very responsible task. We are sure that you will discharge it in the most able manner, as we have experienced already.

We have listened very carefully to the declaration just read out by the representative of Peru on behalf of the Group of 21. As co-ordinator for chemical weapons of the Western Group, on behalf of Western delegations, may I express the opinion of Western delegations that we agree completely with the declaration of the Group of 21 as far as it pronounces the need for the early establishment of the Ad Hoc Committee for Chemical Weapons? We have, at an early date of the new round of negotiations of the Conference on Disarmament, pointed to the fact that Western delegations are prepared to re-establish that Committee without any delay, and in order to be able to do so, we have said that the best way to do it is on the basis of the mandate which we had last year. That this mandate is sufficient is proven by the "rolling text" which has been elaborated during the past years on this and similar mandates, and which now contains more than 200 pages, most of them consensus language. So, as it was sufficient to establish that kind of consensus and that text, there is no reason to believe that it would not be sufficient to continue this very valuable task during the coming year. On that ground, we urge the Conference on Disarmament to agree as early as possible on the establishment of the Ad Hoc Committee on Chemical Weapons.

The PRESIDENT: I thank the representative of Germany for his statement and for the kind words addressed to the Chair. I recognize the representative of the United States, Ambassador Stephen Ledogar.

Mr. LEDOGAR (United States of America): I would like to mention that we have with us today, as a guest of my delegation, Congressman Wayne Owens, a member of the United States House of Representatives, from the State of Utah. Congressman Owens is one of four Congressmen appointed by the Speaker of the House, Mr. Thomas Foley, as a special observer for the chemical weapons negotiations. He is in Geneva to familiarize himself with the CW negotiations.

The PRESIDENT: I thank the representative of the United States of America for introducing in the Conference Congressman Wayne Owens, who holds the important responsibility of Special Observer of the House of Representatives for the chemical weapons negotiations. I welcome him and wish him success in discharging that task, which is closely related to one of the priority items on our agenda.

Does any other delegation wish to take the floor at this stage? I see none.

(The President)

We shall now take action on the report of the Ad Hoc Committee on Chemical Weapons on its intersessional work, as contained in document CD/1046. If there is no objection, I shall take it that the Conference adopts the report of the Ad Hoc Committee.

It was so decided.

The PRESIDENT: I should like now to refer briefly to those organizational questions still pending. As you know, I have been engaged since the opening of the annual session in consultations with the co-ordinators in connection with the most appropriate organizational arrangements to deal with some agenda items. I am happy to report to you today that agreement has emerged on the organizational framework to deal with agenda items 2, "Cessation of the nuclear arms race and nuclear disarmament", and 3, "Prevention of nuclear war, including all related matters". We shall apply the same procedure as followed during the last annual session, i.e., the Conference will hold a series of informal meetings on the substance of these agenda items, and views expressed on them at both plenary and informal meetings will be reflected in the annual report of the Conference. I shall make a statement, under my own responsibility, listing topics for the purpose of facilitating a structured discussion at the informal meetings. That statement will not be binding on any delegation. I intend therefore at our next plenary meeting to formalize this agreement and, for that purpose, I shall follow a procedure identical to that used at the 547th plenary meeting of the Conference on 29 March 1990.

As you know, I have also conducted consultations on the question of the improved and effective functioning of the Conference, pursuant to paragraph 18 of our last annual report to the General Assembly of the United Nations. As a result of those consultations, I have decided to appoint Ambassador Ahmad Kamal of Pakistan to conduct consultations bilaterally with members of the Conference, to determine whether there would be common ground for addressing certain issues relating to that question. Ambassador Kamal has very kindly agreed to this appointment, and I should like to express my appreciation to him for undertaking this new and heavy responsibility.

I am also conducting consultations in connection with the re-establishment of the subsidiary bodies under agenda items 1, 4 and 5, so that we can implement the agreement already obtained in connection with those items. No agreement seems in sight in connection with the re-establishment of the Ad Hoc Committee under agenda item 8. We also need to appoint the Chairman of the Ad Hoc Committee on negative security assurances, and I do hope that during the coming days I shall have a recommendation to proceed to substantive work in that subsidiary body.

As we start the last week of my presidency, I intend to intensify my consultations, including, if necessary, additional meetings with the co-ordinators, so that we might start substantive work on a number of other subjects before the Conference. If agreement is not possible during the coming week on all pending questions relating to subsidiary bodies, I shall proceed to comply with the provision contained in paragraph 5 (d) of the decision adopted by the Conference at its 575th plenary meeting on 21 August 1990, concerning its improved and effective functioning. In

accordance with that provision, in the absence of consensus on the establishment of any particular subsidiary body or its mandate, the incumbent President shall, in the two weeks following the principal debate at the opening of the annual session, try to identify a Special Co-ordinator to assist in carrying out informal consultations with a view to reaching consensus. In other words, my mandate is to try to identify, by the end of next week, special co-ordinators if we are unable by that time to agree on organizational arrangements for certain agenda items.

I have no other business for this plenary meeting and I therefore intend to adjourn it. The next plenary meeting of the Conference on Disarmament will be held on Thursday, 14 February, at 10 a.m.

The meeting rose at 10.45 a.m.